



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Fiscal Note

Drafting Number:	LLS 21-0340	Date:	February 16, 2021
Prime Sponsors:	Rep. Roberts; Tipper Sen. Cooke; Rodriguez	Bill Status:	House Judiciary
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Bill Topic: EXTORTION OF IMMIGRANTS ENGAGING IN LAWFUL ACTS

Summary of Fiscal Impact:

<input checked="" type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
<input checked="" type="checkbox"/> State Expenditure	<input checked="" type="checkbox"/> Local Government
<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

This bill expands the definition of criminal extortion. Starting in FY 2021-22, the bill minimally increases state revenue and expenditures and local government workload on an ongoing basis.

Appropriation Summary: Currently, this bill includes a provision stating that a potential appropriation to the Department of Corrections may be required; however, the fiscal note estimates that the bill will not increase periods of imprisonment and that no appropriation is required.

Fiscal Note Status: This fiscal note reflects the introduced bill.

Summary of Legislation

Under current law, a person commits criminal extortion if the person forces or intends to force another person against their will to give them something of value by threatening to report their immigration status to law enforcement. This bill expands this offense to include inducing another person against their will to engage or refrain from performing an otherwise legal act.

Comparable Crime Analysis

Legislative Council Staff is required to include certain information in the fiscal note for any bill that creates a new crime, changes the classification of an existing crime, or changes an element of an existing crime. The following sections outline data on crimes that are comparable to the offense in this bill and discuss assumptions on future rates of criminal convictions.

Prior conviction data and assumptions. This bill changes the element of criminal extortion involving an individual's immigration status. From FY 2017-18 to FY 2019-20, zero offenders were convicted and sentenced for criminal extortion involving a person's immigration status; therefore, the fiscal note assumes that there will be minimal criminal case filings and convictions for this offense.

Visit leg.colorado.gov/fiscalnotes for more information about criminal justice costs in fiscal notes.

State Revenue and Expenditures

Based on the assumptions above, this bill is expected to have a minimal impact on state revenue and expenditures. Under the bill, criminal fines and court fees, which are subject to TABOR, may increase by a minimal amount. Similarly, any increase in workload and costs for the Judicial Department, including the trial courts, Division of Probation, and agencies that provide representation to indigent defendants, and to the Department of Corrections, are assumed to be minimal and no change in appropriations is required.

Local Government

By changing the elements of criminal extortion, the bill may increase workload and costs for district attorneys to prosecute additional cases. District attorney offices are funded by counties, with each county in a judicial district contributing based on its population.

Effective Date

The bill takes effect July 1, 2021, and applies to offenses committed on or after this date.

State Appropriations

Currently, this bill includes a provision stating that a potential appropriation to the Department of Corrections may be required; however, the fiscal note estimates that the bill will not increase periods of imprisonment and that no appropriation is required.

State and Local Government Contacts

Corrections

District Attorneys

Information Technology

Judicial